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C O N F I D E N T I A L SECTION 01 OF 03 TASHKENT 001546

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DEPT FOR SCA/CEN AND DRL

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TAGS: [PGOV](#) [PHUM](#) [KIRF](#) [UZ](#)

SUBJECT: LAST REGISTERED JEHOVAH'S WITNESSES CONGREGATION
THREATENED

REF: A. TASHKENT 1197

[1](#)B. TASHKENT 709

[1](#)C. TASHKENT 1300

Classified By: CDA BRAD HANSON FOR REASONS 1.4 (B, D).

[1](#)1. (C) Summary: The Jehovah's Witnesses (JW) AmCit General Counsel told poloff on August 17 that authorities may be planning to deregister the congregation in Chirchik, the last remaining legal JW congregation in Uzbekistan. The Chirchik congregation recently received a second warning letter from the Tashkent Region Justice Department, which accuses the congregation of failing to provide documentation of its meetings and sending its members to preach in villages outside of Chirchik. In addition, the General Counsel provided poloff with a list of recent unsuccessful attempts by JW congregations to register throughout Uzbekistan and relayed to him a veiled threat made by the Acting Chairman of the Religious Affairs Committee on June 22. Furthermore, on August 14, the Samarkand Regional Criminal Court rejected the appeal of Dilafruz Arziyeva, who had been sentenced to two years corrective labor for illegally teaching religion. International observers, including poloff and the AmCit General Counsel, were denied entry to the appeal hearing. On a brighter note, Arziyeva's local lawyer said that the Government was planning to announce its annual amnesty shortly, and he had reason to believe that Irfan Hamidov, another JW congregant who was sentenced two years at a labor camp, might be included on the list. If authorities continue to criminally prosecute JW congregants or deregister the congregation in Chirchik, it will become increasingly difficult for the Government to argue that it is making progress on religious freedom in Uzbekistan. End summary

SECOND WARNING FOR JEHOVAH CONGREGATION IN CHIRCHIK

[1](#)2. (C) On August 17, AmCit Jehovah's Witnesses (JW) General Counsel told poloff that authorities may be planning to deregister the congregation in Chirchik, the last remaining registered JW congregation in Uzbekistan. According to the General Counsel, the congregation in Chirchik received a second warning letter dated August 13 from the Tashkent Region Justice Department. The letter accuses the congregation of failing to provide required documentation of its meetings and sending its members to conduct unsanctioned preaching in villages outside of Chirchik. In response to the allegations, the General Counsel said that individuals from the congregation may have visited the villages, but that any such action was not sanctioned by the congregation itself.

[1](#)3. (C) The General Counsel said that he was surprised to

receive the second warning, as he described having a positive meeting with the Tashkent Region Justice Department Head Hamdambek Rasulov on August 10. The congregation also submitted the requested documentation after receiving a first warning letter from the Justice Ministry on July 12. The General Counsel is worried that the second warning might portend the deregistration of the Chirchik congregation, the only congregation still registered in Uzbekistan, as the JW's Ferghana City congregation was deregistered last year after receiving two warnings. If the Chirchik congregation was to lose its registration, all JW activity in Uzbekistan would effectively become illegal.

CONTINUED REGISTRATION DENIALS FOR OTHER CONGREGATIONS

14. (C) In addition to the Chirchik and Ferghana City congregations, the only JW congregations to have ever been registered, there are dozens of other JW congregations that remain unregistered despite repeated attempts to do so. The General Counsel provided poloff with a list of recent attempts by JW congregations to register. In 2007, applications for registration from the Tashkent and Ferghana City congregations were rejected, and an application from the Jizzak congregation did not receive a response. In 2006, an application from the Kagan (Bukhara province) congregation was rejected, and an application from the Angren congregation did not receive a response. Despite the repeated denials, the General Counsel said that Jehovah's Witnesses respect the laws of Uzbekistan and will continue to apply for registration until they are successful.

WARNING FROM ACTING RELIGIOUS AFFAIRS COMMITTEE CHAIRMAN

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15. (C) The General Counsel told poloff that during a meeting with Acting Religious Affairs Committee Chairman Ortiq Yusupov on June 22, he was warned that Jehovah's Witnesses were engaging in proselytism, which is against the law in Uzbekistan. Yusupov reportedly said that he had received complaints from citizens about Jehovah's Witnesses pushing their religion on others and that he was required to investigate such complaints. The General Counsel interpreted Yusupov's words as a veiled threat that the Government was considering deregistering the JW's Chirchik congregation.

ARZIYEVA SENTENCE UPHELD IN SAMARKAND

16. (C) On August 14, the Samarkand Regional Criminal Court rejected the appeal of Dilafruz Arziyeva, who was convicted on June 6 of illegally teaching religion and sentenced to two years corrective labor. In her appeal, Arziyeva alleged that the trial judge had falsified witness testimony in the court record. The General Counsel provided poloff with a letter from the witness whose testimony was allegedly altered. In the letter, the witness states that she renounced in open court her written statement that Arziyeva had shared religious materials with her, declaring that she was pressured to sign the statement by investigators. She also denied again in the letter that Arziyeva had shared religious material with her. According to the General Counsel, after the trial, the judge removed the witnesses' verbal testimony from the court record and replaced it with the written statement.

17. (C) After waiting five hours for the appeal to begin, poloff and the AmCit JW General Counsel were asked to leave the courtroom by the Chief Judge, who, citing a 2005 declaration of the Supreme Court, said that foreign citizens are not allowed to observe trials without written permission from the Supreme Court. When informed that poloff had sent a dip note to the Ministry of Foreign Affairs requesting

authorization to monitor the hearing, the Chief Judge responded that Uzbekistan's courts were independent and outside observers were unnecessary. During a meeting at the MFA on August 2, poloff was told by the U.S. Affairs Section Chief that such requests could take over a month to process, even though in this case, Arziyeva's appeal was scheduled only a few weeks in advance.

¶18. (C) After the appeal, Arziyeva's local lawyer told poloff that the judges did not appear to take the allegations seriously and one of them was even falling asleep during the hearing. According to the local lawyer, during his summation, the Prosecutor admitted that JW religious material was harmless and questioned why the congregants could not read it at home instead of sharing it with the public. At the same time, however, the Prosecutor accused the JW community of having ulterior motives and serving as a front for an unexplained underground movement.

¶19. (C) On August 17, the General Counsel said that the next step for Arziyeva is to submit a "supervisory protest" to either the Chair of the Samarkand Regional Criminal Court or directly to the Supreme Court. He was unsure when Arziyeva's sentence would become enforceable. Before her appeal to the Samarkand Regional Criminal Court, Arziyeva received a notice to surrender herself to the police despite the fact that, under Uzbek law, a sentence is not enforceable while an appeal is pending. Now that Arziyeva's appeal has been rejected, though, she may have to start serving her sentence. The General Counsel explained that a supervisory protest was akin to a discretionary appeal in the United States, and the Samarkand Regional Criminal Court or the Supreme Court could decline to hear it. The General Counsel also was considering appealing to the UN Human Rights Committee.

¶10. (C) Earlier on June 21, the Samarkand Regional Criminal Court also rejected the appeal of Irfan Hamidov, another member of the JW's Samarkand congregation who was convicted of teaching religion illegally on May 14 and sentenced to two years at a labor camp. Following his conviction, according to fellow church members, Hamidov was severely beaten in detention. Hamidov, like Arziyeva, appealed the conviction on the basis that the judge had falsified witness testimony in the court record. Poloff and the AmCit General Counsel also were not allowed in the courtroom during Hamidov's appeal (ref A). After his appeal was rejected, Hamidov began serving his two-year sentence at a labor colony near

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Samarkand. On August 17, the General Counsel told poloff that he recently visited Hamidov at the labor camp. He was in good health and did not report being mistreated.

AMNESTY FOR HAMIDOV?

¶11. (C) On August 17, JW General Counsel also told poloff that, according to Arziyeva's local defense lawyer, the government was preparing to announce an amnesty on August 20. The defense lawyer was hopeful that the amnesty might include Hamidov, since the prosecutor at his trial called for a reduced sentence and he has been labeled a model prisoner by labor camp authorities. As of August 28, the Government still had not announced an amnesty, although one is occasionally declared shortly before Uzbekistan's national holiday on September 1.

COMMENT

¶12. (C) The continued ordeal of JW congregations in Uzbekistan is lamentable, especially considering their repeated attempts to conform to Uzbekistan's particularly stringent registration requirements. The Jehovah's Witnesses are one of the few Christian groups which continues to apply for registration every year despite continual denials.

Earlier in the year, the Government appeared to have adopted a softer approach towards the congregations. For example, Jehovah's Witnesses encountered far less harassment during memorial services commemorating Jesus' death on April 2 than in the past two years. (Ref B). After positive meetings in June between Government officials and Ambassador-at-Large for Religious Freedom John Hanford, it was hoped that the Government may eventually relax their registration laws and demonstrate greater tolerance towards religious minorities like the Jehovah Witnesses (ref C). However, with the criminal convictions of Arziyeva and Hamidov and renewed threats to revoke the registration of the last remaining legal JW congregation in Uzbekistan, it now appears that the authorities have reverted towards a more hard-line stance towards the Jehovah's Witnesses. If authorities continue to criminally prosecute JW congregants or deregister their congregation in Chirchik, it will become increasingly difficult for the Government to argue that it is making progress on religious freedom in Uzbekistan.

HANSON